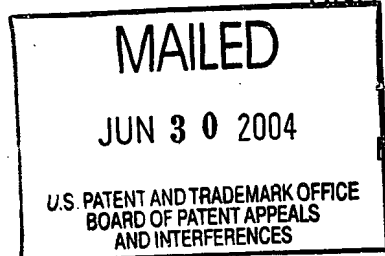


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 34

UNITED STATES PATENT AND TRADEMARK OFFICE



\_\_\_\_\_  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_

***Ex parte*** JACKSON L. ELLIS, DAVID R. NOELDNER,  
DAVID M. SPRINGBERG and GRAEME M. WESTON-LEWIS

\_\_\_\_\_  
Appeal No. 2003-1872  
Application No. 09/183,694  
\_\_\_\_\_

ON BRIEF  
\_\_\_\_\_

Before HARKCOM, ***Acting Chief Administrative Patent Judge***, WILLIAM F. SMITH  
and NASE, ***Administrative Patent Judges***.

***Per Curiam.***

### ***REMAND TO THE EXAMINER***

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

Appeal No. ~~2003-1948~~ 2003-1872  
Application No. ~~09/378,425~~ 09/183,094

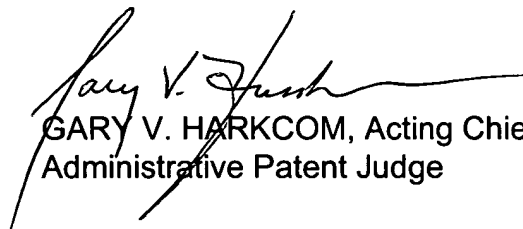
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on 9/28/04  
regarding  
correction  
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If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the Board so that the appeal may be restored.

This application, by virtue of its "special" status, requires **immediate** action by the examiner. See MPEP § 708.01(d). The Board of Patent Appeals and Interferences **must** be informed promptly of any action affecting the appeal in this case, including reopening of prosecution, allowance and/or abandonment of the application.

**REMANDED**

  
GARY V. HARKCOM, Acting Chief  
Administrative Patent Judge

  
WILLIAM F. SMITH  
Administrative Patent Judge

  
JEFFREY NASE  
Administrative Patent Judge

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Appeal No. 2003-1948  
Application No. 09/378,425

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